

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK  
Albany Division**

MATTHEW AVITABILE; FIREARMS )	
POLICY COALITION; and FIREARMS )	
POLICY FOUNDATION )	
	)
Plaintiffs, )	
	) Civil Action No. _____
v. )	
	)
ANDREW M. CUOMO, in his Official )	
Capacity as Governor of the State of New )	
York, ERIC SCHNEIDERMAN, in his )	
Official Capacity as Attorney General of )	
New York and LT. COL. GEORGE )	
BEACH in his Official Capacity as )	
Superintendent of the New York State Police)	
	)
Defendants. )	
	)

**DECLARATION OF MATTHEW AVITABILE**

**COMES NOW**, Matthew Avitabile, and states as follows:

1. I am an adult male resident of the State of New York and reside in Schoharie County.
2. I am a member of Firearms Policy Coalition and Firearms Policy Foundation.
3. I desire to purchase a stun gun and/or Taser for lawful self-defense and in appropriate circumstances desire to carry said stun gun or Taser for self-defense.
4. New York bans the possession of stun guns and/or Tasers. As such, I am unable to purchase one for lawful self-defense.
5. I would purchase and own, and in appropriate circumstances, carry a stun gun or Taser, but upon information and belief, New York enforces its ban on owning and carrying a stun gun or a Taser, and I fear prosecution for owning and carrying a stun gun or a Taser.

6. Therefore, I have refrained from purchasing, owning, carrying or otherwise violating New York's ban on stun guns and Tasers.

**FURTHER, DECLARANT SAYETH NAUGHT.**

I certify under penalty of perjury that the foregoing is true and correct.

Executed on December 3, 2016.

A handwritten signature in black ink, appearing to read "MATTHEW AVITABILE", is written over a light gray background that has a faint, repeating grid pattern.

Matthew Avitabile